

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HORACE A. BELL,

No. C 09-04477 CW (PR)

Plaintiff,

ORDER OF TRANSFER

v.

SERGEANT G. HIPPO, et al.,

Defendants.

Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983 and an application for in forma pauperis status. The acts complained of occurred at Kern Valley State Prison, which is located in the Eastern District of California, and it appears that Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith.

Plaintiff's application for in forma pauperis status is TERMINATED on this Court's docket as no longer pending in this district.

IT IS SO ORDERED.

Dated: 10/21/2009



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

HORACE A BELL,

Plaintiff,

v.

G HIPPO et al,

Defendant.

Case Number: CV09-04477 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 21, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Horace A. Bell #J-42454
C4-120
Kern Valley State Prison
P.O. Box 6000
Delano, CA 93216

Dated: October 21, 2009

Richard W. Wieking, Clerk
By: Clara Pierce, Deputy Clerk

United States District Court
For the Northern District of California